



[Docket No. FR-6222-N-02]

Appointments to the Housing Counseling Federal Advisory Committee; Solicitation of Nominations

AGENCY: Office of the Assistant Secretary for Housing – Federal Housing Commissioner, Department of Housing and Urban Development (HUD).

ACTION: Announcement of new members of the Housing Counseling Federal Advisory Committee and notice of the solicitation of nominations for appointment to the Housing Counseling Federal Advisory Committee.

SUMMARY: This notice announces the members of the Housing Counseling Federal Advisory Committee (HCFAC) that were appointed or reappointed by the Secretary on September 14, 2021. This notice also invites nominations for appointments to fill four additional vacancies on the HCFAC.

DATES: All Nominations must be received no later than **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

ADDRESSES: Nominations must be in writing using form HUD-90005 (Application for Membership on the HCFAC, OMB Approval Number: 2502-0606) and submitted via electronically to HCFAC.application@hud.gov. Individuals who do not have Internet access may submit nominations to the Office of the Deputy Assistant Secretary for Housing Counseling, HUD, 451 7th Street SW, Room 9224, Washington DC 20410.

FOR FURTHER INFORMATION CONTACT: Virginia F. Holman, Housing Program Specialist, U.S. Department of Housing and Urban Development, Office of Housing Counseling, Office of Outreach and Capacity Building, Virginia.F.Holman@hud.gov, telephone number 540-894-7790. (This is not a toll-free number). Persons who have difficulty hearing or speaking may access this number via TTY by calling the toll-free Federal Relay Service at (800) 877-8339

(This is a toll-free number). Individuals with questions may also email HCFAC.application@hud.gov and in the subject line write “HCFAC application question.”

SUPPLEMENTARY INFORMATION:

I. Background and Authority.

The HCFAC is congressionally mandated to provide advice to the Office of Housing Counseling (OHC) (42 U.S.C. 3533(g)(4)). The HCFAC provides the OHC valuable advice regarding its mission to provide individuals and families with the knowledge they need to obtain, sustain, and improve their housing through a strong national network of HUD-approved housing counseling agencies and HUD-certified counselors. The HCFAC, however, does not have any role in reviewing or awarding of OHC housing counseling grants and procurement contracts. The HCFAC is subject to the requirements of the Federal Advisory Committee Act, and the Presidential Memorandum “Final Guidance on Appointments of Lobbyists to Federal Boards and Commissions,” dated June 18, 2010, along with any relevant guidance published in the Federal Register or otherwise issued by the Office of Management and Budget (OMB).¹

Pursuant to section 3533(g)(4)(B), the HCFAC shall consist of not more than 12 individuals appointed by the Secretary. The membership will equally represent the mortgage industry, the real estate industry, consumers and HUD-approved housing counseling agencies. Each member shall be appointed in his or her individual capacity for a term of up to 3 years.

II. HCFAC Members

On September 14, 2021, the following members were appointed to the HCFAC for a 3-year term:

Ibijo Akinbowale, Director, National Community Reinvestment Coalition Housing Counseling Network

¹ See 5 U.S.C. appendix; 79 FR 47482.

Lawrence Batiste, President, Batiste Premier Realty

Carol Ann Dujanovich, Vice President and Director of Operations, 1st Nations Reverse Mortgage

Marcia Lewis, Deputy Executive Director – Change Management, Indianapolis Housing Authority

Bill Sevilla, Director, Community Development and Asset Building, Centro Campesino; and

Tony Walters, Executive Director, National American Indian Housing Council.

On September 14, 2021, the following members were reappointed to the HCFAC for a 3-year term:

Patricia Arvielo, President and Co-Founder, New American Funding; and

Paul Yorkis, President, Patriot Real Estate.

III. Nominations for the Housing Counseling Federal Advisory Committee

HUD is seeking additional nominations for membership on the HCFAC. Nominees shall have experience representative of at least one of the 4 categories - the mortgage industry, real estate industry, consumers, and HUD-approved housing counseling agencies. Nominations may be made by agency officials, members of Congress, the general public, professional organizations, and self-nominations. Nominees must be U.S. citizens and cannot be U.S. Government employees.

All appointed nominees will be serving on the HCFAC in their individual capacity and not in a representative capacity, therefore, no Federally-registered lobbyists may serve on the HCFAC.² Individual capacity, as clarified by OMB, refers to individuals who are appointed to

² See 79 FR 4782 (“Revised Guidance on Appointment of Lobbyists to Federal Advisory Committees, Boards, and Commissions”) (clarifying that federally registered lobbyists may not serve on advisory committee, board, or Commission in an “individual capacity.”)

committees to exercise their own individual best judgment on behalf of the government, such as when they are designated as Special Government Employees as defined in 18 U.S.C. 202.

Nominations to the HCFAC must be submitted via Form HUD-90005, which is available here: <https://files.hudexchange.info/resources/documents/HCFAC-Application-HUD-Form-90005.pdf>.

Each nominee will be required to provide all the information on Form HUD-90005.

Nominations should be submitted electronically to HCFAC.application@hud.gov.

Individuals that do not have Internet access may submit nominations to the Office of the Deputy Assistant Secretary for Housing Counseling, HUD, 451 7th Street SW, Washington DC 20410.

Those who submitted applications previously, and those who have been appointed previously, must reapply if they wish to be considered for an appointment.

HCFAC members will be required to adhere to the conflict-of-interest rules applicable to Special Government Employees as such employees are defined in 18 U.S.C. section 202(a). The rules include relevant provisions in 18 U.S.C. related to criminal activity, Standards of Ethical Conduct for Employees of the Executive Branch (5 CFR part 2635) and Executive Order 12674 (as modified by Executive Order 12731). Therefore, applicants will be required to submit to pre-appointment screenings relating to identity of interest and financial interests that HUD might require. If selected, HCFAC members will also be asked to complete OGE Form-450 (Confidential Financial Disclosure Report).

Members of the HCFAC shall serve without pay but shall receive travel expenses including per diem in lieu of subsistence as authorized by 5 U.S.C. 5703. Regular attendance is essential to the effective operation of the HCFAC.

This Notice is not intended to be the exclusive method by which HUD will solicit nominations and expressions of interest to identify qualified candidates; however, all nominees for membership on the HCFAC will be subject to the same application process and evaluation criteria.

IV. Selection and Meetings.

Member selections will be made by the Secretary and will be based on the Nominee's qualifications to contribute to the accomplishment of the HCFAC's objectives. Membership on the Committee is personal to the appointee and committee members serve at the discretion of the Secretary.

The estimated number of meetings (in-person or virtual) anticipated within a fiscal year is two (2). Additional meetings may be held as needed to render advice to the Deputy Assistant Secretary for the Office of Housing Counseling. The meetings may use electronic communication technologies for attendance.

All meetings will be announced by notice in the **Federal Register**. Announcements of the meetings may be made using other methods as well.

Janet Golrick,
Acting Chief of Staff,
Office of Housing - Federal Housing Administration.

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